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6 Attorney for:  
7 QUINN MCGEE

8 UNITED STATES DISTRICT COURT  
9  
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 QUINN MCGEE ,  
15 Defendant.

Case No.: 2:14-CR-322-RFB-CWH

**STIPULATION TO CONTINUE**  
**MOTION DEADLINES AND**  
**TRIAL DATES**  
(Second Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
17 States Attorney, and Alexandra M. Michael, Assistant United States Attorney, counsel for the  
18 United States of America, and Rene L. Valladares, Federal Public Defender, and PAUL RIDDLE,  
19 Assistant Federal Public Defender, counsel for QUINN MCGEE, that the calendar call currently  
20 scheduled for Tuesday, January 20, 2015 at 1:30 p.m., and the trial currently scheduled for Tuesday,  
21 January 27, 2015 at 9:30 a.m., be vacated and set to a date and time convenient to this court but no  
22 longer than thirty (30) days.

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to and  
24 including February 5, 2015, by the hour of 4:00 p.m., within which to file any and all pretrial  
25 motions and notices of defense.

26 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall  
27 have to and including February 19, 2015, by the hour of 4:00 p.m., within which to file any and all  
28 responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall  
2 have to and including February 26, 2015, by the hour of 4:00 p.m., within which to file any and all  
3 replies to dispositive motions.

4 This Stipulation is entered into for the following reasons:

5 1. The client is in custody but does not oppose the continuance.

6 2. Since the filing of the previous stipulation, the parties have reached a proposed  
7 resolution. Additional time is needed to reduce the proposal to writing, present it to the defendant  
8 and for the defendant to review thoroughly before deciding if he wishes to enter into the agreement  
9 or proceed to trial.

10 3. The additional time requested herein is not sought for purposes of delay, but merely  
11 to allow counsel for the defendant sufficient time to complete the negotiations process or to  
12 research, prepare and submit appropriate pretrial motions.

13 4. Denial of this request for continuance would deny counsel for the defendant sufficient  
14 time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking  
15 into account the exercise of due diligence.

16 5. Additionally, denial of this request for continuance could result in a miscarriage of  
17 justice. The additional time requested by this Stipulation is excludable in computing the time within  
18 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States  
19 Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors  
20 under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

21 6. This is the Second stipulation to continue filed herein.

22 DATED: January 14, 2015

23  
24 RENE L. VALLADARES  
Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

25  
26 By: /s/ Paul Riddle  
PAUL RIDDLE,  
27 Assistant Federal Public Defender

By: /s/ Alexandra M. Michael  
ALEXANDRA M. MICHAEL,  
ssistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

QUINN MCGEE ,

Defendant.

Case No.: **2:14-CR-322-RFB-CWH**

FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND ORDER

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody but does not oppose the continuance.
2. Since the filing of the previous stipulation, the parties have reached a proposed resolution. Additional time is needed to reduce the proposal to writing, present it to the defendant and for the defendant to review thoroughly before deciding if he wishes to enter into the agreement or proceed to trial.
3. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time to complete the negotiations process or to research, prepare and submit appropriate pretrial motions.
4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the Second stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion and trial dates.

### CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A), when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

### ORDER

IT IS THEREFORE ORDERED, that the parties herein shall have to and including **January 30, 2015** ~~February 5, 2015~~, by the hour of 4:00 p.m., within which to file any and all pretrial motions and notices of defense.

IT IS FURTHER ORDERED, by and between the parties, that they shall have to and including **February 6, 2015** ~~February 19, 2015~~, by the hour of 4:00 p.m., within which to file any and all responsive pleadings.

IT IS FURTHER ORDERED, by and between the parties, that they shall have to and including **February 10, 2015** ~~February 26, 2015~~, by the hour of 4:00 p.m., within which to file any and all replies to dispositive motions.

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be submitted to the Court by the 26th day of February, 2015, by the hour of 4:00 p.m.

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1 IT IS FURTHER ORDERED that the calendar call currently scheduled for  
2 Tuesday, January 20, 2015 at 1:30 p.m., be vacated and continued to  
3 **Tuesday, March 3, 2015** at the hour of **1:30 p.m.**;  
4 and the trial currently scheduled for Tuesday, January 27, 2015 at 9:30 a.m., be vacated and  
5 continued to **Tuesday, March 10, 2015** at the hour of **9:30 a.m.**  
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7 DATED 20th day of January, 2015.  
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11 **RICHARD F. BOULWARE, II**  
12 **United States District Judge**  
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